

BEFORE THE ARIZONA BOARD OF

OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

IN THE MATTER OF:)	Case No. 2731
)	
GEORGE WELDON WILLIAMS, D.O.)	FINDINGS OF FACT, CONCLUSIONS
Holder of License No. 2413 for the)	OF LAW AND SUSPENSION OF
practice of osteopathic medicine in the)	LICENSE
State of Arizona.)	
_____)	

The Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") held a public meeting on June 10, 2000, regarding George Weldon Williams, D.O. (hereinafter "Respondent"). Following the Board's review of information and evidence obtained pursuant to A.R.S. § 32-1855 and § 32-1855.01, and having considered the evidence and information in the matter and being fully advised, the Board enters the following Findings of Fact, Conclusions of Law and Order of Suspension of License.

FINDINGS OF FACT

1. Respondent is licensee of the Board and the holder of License No. 2413 for the practice of osteopathic medicine in the State of Arizona.

2. On December 19, 1997 Respondent entered into a Consent Order and Stipulation in the State of Michigan for revocation of his medical license. In the Consent Order and Stipulation Respondent did not contest the allegations of fact and they were treated as true in the State of Michigan Administrative Complaint, No. 51-97-0259-00 dated August 20, 1997. The allegations in the Administrative Complaint included:

1. Inappropriate sexual comments and harassment with at least patients E.D., P.K. and employees B.L. and C.P. from 1991-1997.

2. Sexual contact and intercourse with patients E.D. (1995-1997) and P.K. (1991-1995). Patient E.D. became pregnant and bore Respondent's child on April 14, 1997.
3. On or about April 2, 1997 a pharmacy inspector from the Department of Consumer and Industry Services conducted an inspection of Respondent's office in Gaylord, Michigan. The following violations were found:
 - a. Access to prescription drugs was not limited. Most prescription noncontrolled substance drugs were in an unlocked room, contrary to section 17745(5) of the Michigan Public Health Code.
 - b. Multi-dose medication vials were found in cabinets with needles left inserted, contrary to section 17745(5) of the Michigan Public Health Code.
 - c. There were no annual inventories performed on the prescription medications at Respondent's office, contrary to section 7321(2) of the Michigan Public Health Code.
 - d. There was no log of controlled substances dispensed, contrary to section 7303a(3)(b) of the Michigan Public Health Code.
 - e. There were no loss forms completed when losses were noticed, contrary to 1992 AACCS, R338.3141 (3).
 - f. Respondent is not always physically present when dispensing occurs, and at times will authorize non-licensed staff to obtain prescription drugs, contrary to section 17745b(2)(a) of the Michigan Public Health Code.
4. An audit of controlled substances conducted at Respondent's office by a pharmacy inspector from the Michigan Department of Consumer & Industry Services revealed shortages of Demerol, Lorcet and Vicodin in the following amounts:

Demerol	9 vials
Lorcet	1,440 tablets
Lorcet Plus	216 tablets
Vicodin	150 tablets
Vicodin ES	275 tablets

CONCLUSIONS OF LAW

1. The aforementioned conduct against Respondent constitutes unprofessional conduct as defined in A.R.S. § 32-1854; subsections:

- (6) Engaging in the practice of medicine in a manner that harms or may harm a patient or that the Board determines falls below the community standard.
- (15) Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine except as the same may be necessary for accepted therapeutic purposes.
- (18) The refusal, revocation or suspension of a license by any other state, territory, district or country, unless it can be shown that this occurred for reasons that did not relate to the person's ability to safely and skillfully practice osteopathic medicine or to any act of unprofessional conduct as provided in this section.
- (19) Any conduct or practice contrary to recognized standards of ethics of the osteopathic medical profession; to wit, American Osteopathic Association Code of Ethics, Section 15 (sexual misconduct with a patient) and 16 (sexual harassment).
- (40) Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.
- (44) Sexual intimacies with a patient.
- (47) Conduct in the practice of medicine, which evidence moral unfitness to practice medicine.

ORDER

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

1. Respondent's Board License Number 2413 for the practice of osteopathic medicine and surgery in the State of Arizona is hereby **SUSPENDED FOR A ONE-YEAR PERIOD.**

Respondent shall refrain from the practice of osteopathic medicine and surgery until he has complied with the following terms and conditions of this Order:

- a. Respondent will successfully complete the in-patient evaluation for possible sexual addiction at The Meadows in Wickenburg, Arizona. Should The Meadows find an assessment of sexual addiction, Respondent will follow the recommendations for treatment.
- b. Respondent will develop a plan for aftercare treatment and monitoring which shall include, but may not be limited to, individual and/or group counseling sessions, random body fluid testing, agreement for release of treatment records and reports to

the Board, attend regular meetings with the Board or Board committees, and submit this plan to the Board for its approval.

- c. Respondent will sign a release authorizing personnel at The Meadows to inform the Board of his progress as to his in-patient evaluation and any in-patient treatment program and will provide the Board with a copy of any and all records pertinent to his diagnosis and treatment while a patient at said facility and upon discharge.
- d. Upon written request by the Respondent, Respondent will meet with the Board upon reasonable notice after discharge from The Meadows to discuss his compliance with this Board Order and to discuss whether or not he should resume the practice of osteopathic medicine and the terms and conditions under which he will be allowed by the Board to resume the practice of osteopathic medicine and surgery in the State of Arizona.

2. If Respondent is allowed to resume the practice of osteopathic medicine, Respondent's Board License Number 1240 will be placed under **PROBATION** for five (5) years and he shall comply with the terms and conditions set forth herein.

3. From the date of this Order, Respondent shall obtain weekly psychiatric or psychological treatment by a therapist(s) who is either a licensed psychiatrist and/or psychologist and is selected by Respondent and approved by the Board. Respondent shall comply with the therapist recommendation for the frequency of therapy treatment sessions. Respondent shall inform the Board by letter (mailed within ten days of the date of this Order) of the therapist's name; and, Respondent shall undertake and fully cooperate with a program of treatment established by the therapist. In the event Respondent changes therapists, he shall give the Board written notice within ten (10) days of said action. Respondent shall not discontinue or reduce the frequency of psychotherapy sessions until he has submitted a written request to the Board and obtained Board approval.

4. Respondent's therapist(s) shall receive a copy of this Order and Board Staff shall cooperate with and disclose all relevant information in the Board's files concerning Respondent.

The treating therapist shall be directed by Respondent to send to the Board a detailed written progress report every month for the remainder of the probation; and Respondent, shall waive any confidentiality concerning his psychotherapy in order that the Board may receive full disclosure of information. The expense of the aforementioned therapy and the reports to the Board by Respondent's therapist shall be the sole responsibility of the Respondent.

5. Respondent shall provide a copy of this Order and any subsequent Orders to all facilities where Respondent is currently (or subsequently) employed as a physician and/or has (or subsequently receives) privileges to engage in the practice of medicine. Respondent shall provide a copy of this Order to all treating physicians. Respondent shall continue to make the aforementioned disclosure and provide copies of this Order until the expiration of this Order.

6. Respondent may have his license to practice as an osteopathic physician restricted, suspended or revoked by the Board in the future if:

- (A) The Board finds that Respondent does not have the requisite mental, physical and emotional fitness to safely continue the practice of medicine; or,
- (B) There are new grounds for finding unprofessional conduct concerning Respondent; or,
- (C) Fails to fully comply with the terms and conditions of this Order.

7. Respondent shall also, as part of his probation: (A) submit to and cooperate in any independent medical or psychological evaluation that is ordered by the Board for Respondent and conducted by the Board's designated physician and/or psychologist which shall be paid for by Respondent; and (B) appear before the Board, upon receipt of a request by written or telephonic notification from the Board's executive director which shall be given at least five (5) days prior to the Board meeting; and, (C) submit to random biological fluid testing and promptly provide (i.e.,

within sixty (60) minutes of notification) required biological fluids for testing and said testing shall be done at the Respondent's expense.

8. Respondent shall participate in a minimum of three (3) self-help/twelve step meetings per week through such organizations such as S.A., A.A., N.A., C.A. and doctor's Caduceus group. Respondent shall keep a log of all meetings attended and have the log signed by the chairperson of the meeting. Respondent will provide the Board with a copy of the signed log the first of every month.

9. In the event Respondent moves and ceases to practice medicine in Arizona, he shall give written notice to the Board of his new residence address within twenty (20) days of moving; and, the terms and duration of probation shall be stayed by the Board until Respondent returns to practice medicine in Arizona.

10. Respondent shall reimburse the Board for all expenses associated with the investigation, hearing and continued monitoring of this matter.

11. From the date of this Order, Respondent shall obtain ten hours of continuing medical education ("CME") in each of the following areas: risk management and ethics. The CME shall be approved in advance by the Board's Executive Director or designee. The CME requirement of this Board Order is in addition to the CME requirement THAT Respondent needs to maintain his osteopathic medical license in Arizona. Respondent shall continue to meet all licensing requirements such as continuing medical education and renewal requirements including applicable fees pursuant to A.R.S. § 32-1825.

12. Respondent shall be required to have a licensed health care practitioner accompany him while treating female patients. Respondent shall maintain the name of the licensed health care

practitioner who accompanies him in the treatment of female patients in the patient's medical record.

13. Respondent shall undergo random chart reviews by the Board's staff or designee. The random chart review shall consist of a minimum of ten charts every three months.

14. Respondent's failure to comply with the requirements of this Order shall constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and may be considered as grounds for further disciplinary action (e.g., suspension or revocation of license) in the event that Respondent fails to comply with any of the requirements of this Order.

15. At the end of the probationary period, the Board shall evaluate Respondent's compliance, conduct and evaluation by his treating therapist(s) and determine if the probationary period should be continued for an additional five (5) years.

ISSUED this 15th day of June, 2000.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Ann Marie Berger
Ann Marie Berger, Executive Director
9535 E. Doubletree Ranch Road
Scottsdale AZ 85258

Served by personal service or
Certified Mail this 17th day
of June, 2000 to:

George W. Williams, D.O.
P.O. Box 476
Gaylord, MI 49735

A copy of the Board
Order was mailed this 17th day of
June, 2000 to:

D. Jay Ryan
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Phoenix AZ 85051-5765

Blair Driggs
Assistant Attorney General
Office of the Attorney General
1275 W. Washington
Phoenix AZ 85007

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Assistant Attorney General
Solicitor General's Office
1275 W. Washington
Phoenix AZ 85007

Arizona Board of Pharmacy
5060 N. 19th Ave., Suite 101
Phoenix AZ 85015

Drug Enforcement Administration
Attention: Diversion Section
3010 N. 2nd St
Phoenix AZ 85012


